

FINAL BILL REPORT

2SHB 1565

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Synopsis as Enacted

Brief Description: Addressing transportation concurrency strategies.

Sponsors: By House Committee on Transportation (originally sponsored by Representatives Jarrett, Moeller, Tom, Simpson, Appleton, Linville, Sommers, Lantz and Dunshee).

House Committee on Local Government

House Committee on Transportation

Senate Committee on Transportation

Background:

Enacted in 1990 and 1991, the Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. The GMA specifies numerous provisions for jurisdictions fully planning under the Act (planning jurisdictions) and establishes a reduced number of compliance requirements for all local governments.

The Department of Community, Trade, and Economic Development (DCTED) is charged with providing technical and financial assistance to jurisdictions implementing the GMA.

Comprehensive Plan Elements

Among numerous requirements, planning jurisdictions must adopt internally consistent comprehensive land use plans, which are generalized, coordinated land use policy statements of the governing body. Comprehensive plans must satisfy requirements for specified "elements," including land use and transportation elements, each of which is a subset of a comprehensive plan. Planning jurisdictions must also adopt development regulations that are consistent with and implement the comprehensive plan.

Transportation Element/Concurrency

The transportation element of a comprehensive plan must include sub-elements that address transportation mandates for forecasting, finance, coordination, and facilities and services needs. A provision of the sub-element for facilities and services needs requires planning jurisdictions to adopt level of service (LOS) standards for all locally-owned arterials and transit routes. The facilities and services needs sub-element must include specific actions and requirements for bringing into compliance locally-owned transportation facilities or services failing to meet an established LOS.

Planning jurisdictions must adopt and enforce ordinances prohibiting development approval if the development causes the LOS on a locally-owned transportation facility to decline below standards adopted in the transportation element. Exemptions to this prohibition may be made

if improvements or strategies to accommodate development impacts are made concurrent with the development. These strategies may include:

- increased public transportation service;
- ride sharing programs;
- demand management; and
- other transportation systems management strategies.

"Concurrent with the development" means improvements or strategies that are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years.

Buildable Lands Program

The GMA requires six western Washington counties (Clark, King, Kitsap, Pierce, Snohomish, and Thurston counties) and the cities within those counties to establish a review and evaluation "buildable lands" program. The purpose of the program is to determine whether a county and its cities are achieving urban densities and identify reasonable measures, subject to statutory provisions, that will be taken to comply with requirements of the GMA.

Regional Transportation Planning Organizations

Legislation enacted in 1990 authorized the creation of regional transportation planning organizations (RTPOs). The RTPOs are formed through the voluntary association of local governments within a county or within geographically contiguous counties. The RTPOs have duties prescribed in statute, including preparing and updating regional transportation strategies and certifying that transportation elements required by the GMA reflect guidelines and principles adopted to provide direction for the development and evaluation of these elements.

The RTPOs must also prepare and update a regional transportation plan (plan) that is consistent with certain provisions of the GMA. The plan must be developed in cooperation with the Department of Transportation (DOT), the agency that owns and manages the state's highway system. The plan must also be developed in cooperation with transportation providers, local governments, and other specified entities. In addition to satisfying other requirements, the plan must:

- be based upon a least-cost planning methodology;
- identify existing or planned transportation facilities, services, and programs;
- establish regional LOS standards for qualifying highways and ferry routes;
- include a financial plan; and
- assess regional development patterns and capital investments.

The plan must also set forth a proposed regional transportation approach, including capital investments, service improvements, programs, and transportation demand management measures to guide the development of an integrated, multimodal regional transportation system.

All transportation projects, programs, and demand management measures within the region must be consistent with the plan and adopted regional growth and transportation strategies.

Summary:

Growth Management Act

The transportation element of a comprehensive plan may include, in addition to improvements or strategies to accommodate the impacts of development authorized under specified provisions of the GMA, multimodal transportation improvements or strategies that are made concurrent with the development. These improvements or strategies may include, but are not limited to, measures implementing or evaluating:

- multiple modes of transportation with peak and nonpeak hour capacity performance standards for locally owned transportation facilities; and
- modal performance standards meeting the peak and nonpeak hour capacity performance standards.

Nothing within specified provisions of the act or the GMA may be construed as prohibiting a county or city that is fully planning under the GMA (planning jurisdiction) from exercising its authority to develop multimodal improvements or strategies to satisfy the concurrency requirements of the GMA. Similarly, nothing within a specified provision of the act is intended to affect or otherwise modify the authority of planning jurisdictions.

Regional Transportation Planning Organizations

New requirements for regional transportation plans adopted by RTPOs are set forth. The proposed regional transportation approach of the plan must, for regional growth centers, address transportation concurrency strategies required by the GMA and include a measurement of vehicle level-of-service for off-peak periods and total multimodal capacity for peak periods.

Multimodal Concurrency Study

The DOT must administer a study to examine multimodal transportation improvements and strategies to comply with concurrency requirements of the GMA, subject to the availability of amounts appropriated for this purpose. The study must be completed by one or more RTPOs electing to participate in the study. The DCTED must provide technical assistance with the study.

The DOT must, in consultation with members from each of the two largest caucuses of the Senate, and members from each of the two largest caucuses of the House of Representatives, approve the scope of the study.

The study must satisfy specific criteria, including:

- an assessment and comprehensive summary of studies or reports examining concurrency requirements and practices in Washington;
- an examination of existing or proposed multimodal transportation improvements or strategies employed by a city in a county with a population of one million or more residents;

- recommendations for statutory and administrative rule changes that will further the promotion of effective multimodal transportation improvements and strategies that are consistent with provisions of the GMA; and
- recommendations for improving the coordination of concurrency practices in jurisdictions subject to the buildable lands requirements of the GMA.

The DOT, in coordination with participating RTPOs, must submit a report of findings and recommendations to the appropriate committees of the Legislature by December 31, 2006.

Votes on Final Passage:

House	94	0	
Senate	44	0	(Senate amended)
House			(House refused to concur)
Senate	46	0	(Senate amended)
House	92	3	(House concurred)

Effective: July 24, 2005